

Attorney Docket No.: 3371.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David Stern et al

Application No.: 09/682,837

Filed: October 23, 2001

For: Apparatus and Method for Scanning
Multiple Arrays of Biological Probes

Examiner: Betty J. Forman

Art Unit: 1634

PETITION TO CORRECT
INVENTORSHIP UNDER 1.48(a)(1)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Assignee and Inventors of U.S. Patent Application Serial No. 09/682,837, hereby request that Richard P. Rava, be added as inventor of this patent application.

We also enclose with this Petition the following papers that are required under 37 C.F.R. 1.48(a): A fee transmittal form authorizing the Commissioner to charge the \$130 fee specified in 37 C.F.R. 1.17(i) for filing this Petition; Statement of the added inventor; Declaration by the actual inventors; and Statement by the Assignee of Interest. As indicated in the attached statements, the error occurred without any deceptive intent.


If there are any other fees due in connection with the filing of this Petition, please charge the fees to Deposit Account 10-0431.

Respectfully submitted,

Date: March 17, 2003

Customer No. 22886

Affymetrix, Inc.
3380 Central Expressway
Santa Clara, CA 95051
781-280-1712



Alan B. Sherr.
Reg. No. 42,147

03-17-03 03:40pm From-Affymetrix Legal
Mar-17-03 08:34am From-
03-13-03 06:03PM From-Affymetrix Legal

T-848 P.008/013 F-463
1-264 P.067/06 F-001

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Examiner: Betty J. Forman

Art Unit: 1634

STATEMENT UNDER 1.48(a)(2)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Richard P. Rava, state:

1. My address is 1 Quetzal Ct, Redwood City, California. My country of residency and nationality is the United States.

2. The inventorship error of failing to include myself, Richard P. Rava, as an inventor of the above referenced patent application occurred without any deceptive intention on my part.

Date: 3/17/2003


Richard P. Rava

03-17-03 03:41pm From-Affymetrix Legal
Mar-14-03 02:47pm From-Perlegen Sciences
03-13-03 02:51pm From-Affymetrix Legal

650 625 4510

T-846 P.009/013 F-463
T-839 P.002 F-461
T-843 P.002/004 F-469

Please type a plus sign (+) inside this box →



PTO/SB/01 (12-97)

Approved for use through 5/20/02, OMB 0551-0032
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	3371.1
First Named Inventor	David Stern
COMPLETE IF KNOWN	
Application Number	09/682,837
Filing Date	10/23/01
Group Art Unit	1634
Examiner Name	BJ Forman

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Apparatus and Method for Scanning Multiple Arrays of Biological Probes

The specification of which (Title of the invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 10/23/01 as United States Application Number or PCT International

Application Number 09/682,837 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56

I hereby claim foreign priority benefits under 35 U.S.C. 116(a)-(d) or 365(a) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY) Country	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/242,875	10/24/00	

[Page 1 of 3]

Golden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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03-17-03 03:41pm From-Affymetrix Legal
 Mar-14-03 02:48pm From-Parlegan Sciences
 03-13-03 02:51pm From-Affymetrix Legal

550 525 4510

T-846 P.010/013 F-463
 T-838 P.003 T-631
 T-849 P.003/004 T-466

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PTO/SB/01 (12-97)

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 Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 35 U.S.C. 122 of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.66 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
10/167,252 09/26/93 (now abandoned)	5/28/02 2/10/98 4/8/96 6/7/95	5,874,218 5,545,684

Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

☒ Customer Number

22586

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number
Philip L. McGanigle	31,395	Thomas E. Malone	40,678
Alan B. Sherr	42,147	Sandra Wells	52,349
Wei Zhou	44,149		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to:

☒ Customer Number or Bar Code Label

22586

OR

☐ Correspondence address below

Name			
Address			
Address			
City	State	ZIP	
Country	Telephone	Fax	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

David

Family Name or Surname

Stem

Inventor's Signature David Stem Date 3/15/03

Residence: City Mountain View State CA Country USA Citizenship USA

Post Office Address

Post Office Address 1912 Montecito Ave #1

City Mountain View State CA ZIP 94043 Country USA

☒ Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

[Page 2 of 3]

Received from < > at 3/17/03 3:41:45 PM [Eastern Standard Time]

03-17-03 03:41pm From-Affymetrix Legal
Mar-17-03 06:34am From-

T-846 P.011/013 F-463
T-264 P.011/012 F-801

Please type a plus sign (+) inside this box ➡ **+**

PTORS/02A (3-87)

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 3 of 3

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))		Family Name or Surname					
Richard P.		Rova					
Inventor's Signature	<i>Richard P. Rova</i>					3/17/2003 Date	
Residence: City	Redwood City	State	CA	Country	USA	Citizenship	USA
Post Office Address	880 Lakewood Quetzal Ct.						
Post Office Address							
City	Redwood City	State	CA	ZIP	94062	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))		Family Name or Surname					
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))		Family Name or Surname					
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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David Stern

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For: Apparatus and Method for Scanning
Multiple Arrays of Biological Probes

Examiner: Betty J. Forman

Art Unit: 1634

STATEMENT UNDER 1.48(a)(5)

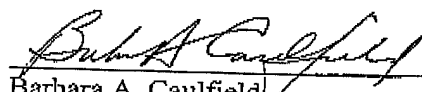
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, the undersigned, on behalf of AFFYMETRIX, INC., the assignee of interest in U.S. Patent Application Serial No. 09/682,837 hereby agree to the change of the inventorship in that application by adding Richard P. Rava as inventor. Attached herewith is a Certificate Under 37 C.F.R. 3.73(b), which establishes the ownership rights.

AFFYMETRIX, INC.

Date: March 4, 2003


Barbara A. Caulfield
Executive Vice President and General Counsel

PTO/SB/98 (8-98)

Approved for use through 09/30/2000, OMB 0851-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Affymetrix, Inc.Application No./Patent No.: 09/682,837Filed/Issue Date: October 23, 2001Entitled: Apparatus and Method for Scanning Multiple Arrays of Biological ProbesAffymetrix, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 012175, Frame 0860, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8j

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

March 4 2003
Date

Barbara A. Caulfield
Signature

Barbara A. Caulfield

Typed or printed name

Executive Vice President and General Counsel

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.